

**Iowa Department of Natural Resources  
Natural Resource Commission**

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**ITEM**

**11**

**DECISION**

**TOPIC**

Notice of Intended Action--Chapter 33, REAP County, City and Open Spaces  
Grant Programs

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The Commission is requested to approve a Notice of Intended Action to amend Chapter 33, "Resource Enhancement and Protection Program: County, City and Private Open Spaces Grant Programs."

Currently, no definitions exist for scoring criteria that are used by selection committees to rank grant requests from county conservation boards, cities, or other private cost sharing organizations. These amendments will define the criteria and how they should be applied.

The request for amendments came last February from a stakeholder group of those who are eligible to receive these grants. Grant selection committee members participated in the development of these definitions.

Attachment: Chapter 33 Notice of Intended Action

Ken Herring, Administrator  
Conservation and Recreation Division

August 9, 2007

NATURAL RESOURCE COMMISSION [571]  
Notice of Intended Action

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission gives Notice of Intended Action to amend Chapter 33, "Resource Enhancement and Protection Program: County, City and Private Open Spaces Grant Programs," Iowa Administrative Code.

The proposed amendments clarify the criteria selection committees shall use to evaluate grant applications under this program.

Any interested person may make written comments on this proposed new Chapter 33 on or before September 28, 2007. Such written materials should be directed to Ross Harrison, REAP Coordinator, Department of Natural Resources, Wallace State Office Building, Des Moines, Iowa 50319-0034. Persons who wish to convey their views orally should contact Ross Harrison at (515)281-5973.

A public hearing will be held on September 28, at 10:30 a.m. in the 4<sup>th</sup> floor conference room, east side, Wallace Building, 502 E. 9<sup>th</sup> St., Des Moines, at which time persons may present their views either orally or in writing. At the hearing, persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendments.

Any persons who intend to attend a public hearing and have special requirements such as those related to hearing or mobility impairments should contact the Department of Natural Resources and advise of special needs.

These amendments are intended to implement Iowa Code Chapter 455A.  
The following amendments are proposed.

ITEM 1. Amend sub-rule 571 – 33.40(4) as follows:

33.30(4) *Project selection criteria.* Under the competitive grants program, a project planning and review committee shall establish criteria and scoring systems to be utilized in project evaluation. Criteria and scoring systems must be distributed to all counties at least 90 days prior to project application deadline. Criteria will be reviewed at least annually to determine if amendments are needed. ~~Criteria and weight factor(s) shall include, but are not limited to, the following:~~

- ~~a. Public demand or need. (2)~~
- ~~b. Project uniqueness. (2)~~
- ~~c. Quality of site or project, or both. (3)~~
- ~~d. Urgency of proposed action. (2)~~
- ~~e. Multiple benefits to be provided. (2)~~

~~(This includes multiple recreational benefits, environmental quality benefits, and other similar benefits.)~~

~~f. Relationship to the Iowa statewide comprehensive outdoor recreation plan, Iowa open spaces protection plan and other current and relevant state, regional and local plans. (4)~~

- ~~g. Quality of public communications plan. (1)~~
- ~~h. Economic benefits to local, regional or state area. (1)~~
- ~~i. Geographic distribution. (1)~~

The committee shall evaluate and rank the REAP private cost share grant applications using the following weighted criteria:

a. The selection committee may award up to four points for a demonstrated relationship to the state comprehensive outdoor recreation plan, the Iowa Open Spaces Protection Plan, the county resource enhancement plan, and other relevant local, state and federal plans.

b. The selection committee may award up to three points for the quality of the site or project, or both.

(1) Quality of Site: for land acquisition projects, the Committee may award points for the combined consideration of the following characteristics:

i. Level of Significance: the relative rarity of the natural resources found on the project site, including but not limited to native vegetation, documented presence of state or federally listed threatened and endangered species, or other not commonly occurring but native resources.

ii. Resource Representation: the quality of the project site, including but not limited to the size and diversity of the project area and the vegetation and wildlife it supports.

iii. Relation to Public Land: proximity to existing wildlife management areas, existing parks, and other public recreation or other greenbelt areas already under public ownership and management.

(2) Quality of Project: for construction projects, the Committee may award points for plans that demonstrate the highest and best site-specific quality of design, material use; that incorporate energy savings or other conservation practices, innovations or construction methods into the design and development; and whose actual design and construction will exceed commonly accepted design and construction standards.

c. The selection committee may award up to two points for each of the following:

(1) Multiple Benefits: provides the greatest number of public benefits/services to meet the public's diverse outdoor recreation interests.

(2) Public Need: demonstrated need for the project and increased public use of the project area will be a result of the award, as documented through surveys and other testing methods, letters of support, and/or planning processes that consider social, demographic, ecological and economic considerations.

(3) Urgency of Project: specific factors and/or immediate threats to the project area that constitute urgency for acquisition and/or development, including but not limited to urban expansion, residential development, agricultural activities, or clearing.

(4) Unique Project Characteristics: documented relative rarity or uniqueness of the natural, cultural and historical resources found on the project site, including but not limited to the presence of rare or unique plant and/or animal species; rare, unique or protected ecosystems; historical markers and/or other historically or culturally significant finds.

d. The selection committee may award up to one point for each of the following:

(1) Communication Plan: project sponsor's effort to inform and advise constituents and users about the importance of the proposed project, and plans to promote the proposed project to expected user groups.

(2) Economic Benefit: estimates of positive impacts to local tourism, existing businesses, encouragement of new businesses, and values to nearby property owners.

ITEM 2. Amend sub-rule 571 – 33.40(5) as follows:  
33.40(5) *Criteria for project evaluation.* ~~Criteria and weight factors to be used in scoring projects shall include, but are not limited to, the following:~~

~~a. Quality of site or project, or both. (3)~~

- ~~b. Direct recreational benefits. (2)~~
- ~~c. Local need. (2)~~
- ~~d. Number of people benefited. (2)~~
- ~~e. Relationship to Iowa state comprehensive outdoor recreation plan, Iowa open spaces protection plan and other current and relevant state, regional and local plans. (4)~~
- ~~f. Environmental benefits. (2)~~
- ~~g. Quality of public communications plan. (1)~~

~~Up to 2 bonus and 3 penalty points may also be assigned based on prior grants, the size and number of grants already underway or approved within the applicant's community, or performance on past projects.~~

The committee shall evaluate and rank the projects using the following weighted criteria:

a. The selection committee may award up to four points for the relationship to relevant regional and state-wide programs based on demonstrated relationship to the state comprehensive outdoor recreation plan, the Iowa Open Spaces Protection Plan, the county resource enhancement plan, and other relevant local, state and federal plans.

b. The selection committee may award up to three points for the quality of the site or project or both:

(1) Quality of Site: for land acquisition projects, the Committee may award points for the combined consideration of the following characteristics:

i. Level of Significance: the relative rarity of the natural resources found on the project site, including but not limited to native vegetation, documented presence of state or federally listed threatened and endangered species, or other not commonly occurring but native resources.

ii. Resource Representation: the quality of the project site, including but not limited to the size and diversity of the project area and the vegetation and wildlife it supports.

iii. Level of Threat: specific factors and/or immediate threats to the project area that constitute urgency for acquisition and/or development, including but not limited to urban expansion, residential development, agricultural activities, or clearing.

iv. Relation to Public Land: proximity to existing wildlife management areas, existing parks, and other public recreation or other greenbelt areas already under public ownership and management.

(2) Quality of Project: for construction projects, the Committee may award points for plans that demonstrate the highest and best site-specific quality of design, material use; that incorporate energy savings or other conservation practices, innovations or construction methods into the design and development; and whose actual design and construction will exceed commonly accepted design and construction standards.

c. The selection committee may award up to two points for each of the following:

(1) Environmental Benefits: demonstrated benefit to the surrounding environment, including but not limited to incorporation of land improvements that may have a positive impact on the larger ecosystem, such as timber or prairie establishment, or wetland or filter strip development.

(2) Public Benefit: realistic estimate of the number of users of the project area and consideration of secondary benefits, such as impacts to local tourism, surrounding businesses and/or adjacent property owners.

(3) Local Support: demonstrated need for the project and increased public use of the project area will be a result of the award, as documented through surveys and other testing methods, letters of support, and/or planning processes that consider social, demographic, ecological and economic considerations.

d. The selection committee may award up to one point for a communication plan that identifies the project sponsor's effort to inform and advise constituents and users about the importance of the proposed project, and plans to promote the proposed project to expected user groups.

ITEM 3. Amend sub-rule 571 – 33.50(5) as follows:

~~33.50(5) Criteria. The following criteria and their respective weights shall be used by the committee, along with other criteria which are determined by the committee to be relevant.~~

- ~~a. Level of significance. (3)~~
- ~~b. Resource representation. (3)~~
- ~~c. Level of threat. (3)~~
- ~~d. Relationship to existing public land. (3)~~
- ~~e. Relationship to state comprehensive outdoor recreation plan, Iowa open spaces protection plan and other current and relevant state, regional and local plans. (3)~~
- ~~f. Rare or unique species or communities. (2)~~
- ~~g. Public benefits. (2)~~
- ~~h. Tourism and economic development potential. (1)~~
- ~~i. Geographic distribution. (1)~~
- ~~j. Multiple use potential. (1)~~
- ~~k. Available funds relative to project costs. (1)~~
- ~~l. Quality of public communications plan. (1)~~

The Committee shall evaluate and rank the projects using the following weighted criteria:

- a. The selection committee may award up to three points for each of the following:
  - (1) Level of Significance: the relative rarity of the natural resources found on the project site, including but not limited to native vegetation, documented presence of state or federally listed threatened and endangered species, or other not commonly occurring but native resources.
  - (2) Resource Representation: the quality of the project site, including but not limited to the size and diversity of the project area and the vegetation and wildlife it supports.
  - (3) Level of Threat: specific factors and/or immediate threats to the project area that constitute urgency for acquisition and/or development, including but not limited to urban expansion, residential development, agricultural activities, or clearing.
  - (4) Relation to Public Land: proximity to existing wildlife management areas, existing parks, and other public recreation or other greenbelt areas already under public ownership and management.
  - (5) Relationship to Relevant Regional and State-wide Programs: demonstrated relationship to the state comprehensive outdoor recreation plan, the Iowa Open Spaces Protection Plan and/or the county resource enhancement plan. The Committee may evaluate other relevant local, state and federal plans at its discretion.
- b. The selection committee may award up to two points for each of the following:
  - (1) Rare or unique species communities: Documented presence of state and federally listed threatened and endangered species, in addition to 1.A above.
  - (2) Public Benefits: demonstrated benefit to the public including but not limited to expanded recreational and/or educational opportunities and incorporation of land improvements that may have a positive impact on the larger ecosystem, such as bank stabilization, wetland development or filter strips.
- c. The selection committee may award up to one point for each of the following:

(1) Tourism and Economic Development Potential: impact to local tourism, including any enhancements to the economy in the area of the project.

(2) Geographic Distribution: project site is located in a city or county that has not received a REAP grant.

(3) Multiple Use Potential: project site provides more than one public use, e.g., the project provides hunting, fishing and hiking opportunities to the public.

(4) Additional Funds: level of funds obligated in excess of the minimum cost-share requirements.

(5) Quality of Public Communication Plan: project sponsor's effort to inform and advise constituents and users about the importance of the proposed project, and plans to promote the proposed project to expected user groups.

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Date

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Richard A. Leopold, Director